



09-30-04

IFW. 7

FSUM 10461.21
PATENT

Express Mail No. EV 432654570 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Robert A. Holton et al.

Art Unit 1625

Serial No. 10/618,063

Filed June 11, 2003

Confirmation No. 4325

For TAXANES HAVING A C10 CARBAMOYLOXY SUBSTITUENT

Examiner Ba K. Trinh

September 29, 2004

LETTER TO THE PATENT AND TRADEMARK OFFICE

TO THE COMMISSIONER FOR PATENTS,

SIR:

This letter is in response to the Office action dated July 7, 2004.

Reconsideration is requested of the rejection of claims 92 and 165-195 under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-131 of U.S. Patent 6,596,737. In the interests of expediting prosecution and without conceding the propriety of the rejection, enclosed herewith is a Terminal Disclaimer in accordance with 37 CFR 1.130(b) and 37 CFR 1.321(c) to obviate the rejection. Accordingly, applicants respectfully request the obviousness-type double patenting rejection be withdrawn and request allowance of claims 92 and 1365-195, which are now pending in this application.

Enclosed is a check in the amount of \$110.00 in payment of the fee for the submission of a Statutory Disclaimer. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

Respectfully submitted,

Bradley S. Schammel, Reg. No. 54,667
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FEE TRANSMITTAL

Application Number 10/618,063
Filing Date July 11, 2003
Confirmation No. 4325
Inventors Robert A. Holton and Weishuo Fang
Group Art Unit 1625
Examiner Name Ba K. Trinh
Attorney Docket Number FSUM 10461.21

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.
- ☐ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.
- ☐ Applicant claims small entity status.
2. ☒ Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

FEE CALCULATION

1. ☐ BASIC FILING FEE Subtotal (1) \$ _____
(Type: _____)
2. ☐ EXTRA CLAIM FEES Subtotal (2) \$ _____
Total Claims _____
Independent Claims _____
Multiple Dependent Claims _____
3. ☒ ADDITIONAL FEES Subtotal (3) \$ 110.00
☐ Surcharge - late filing fee or oath
☐ Surcharge - late provisional filing fee or cover sheet
☐ Extension for reply within _____ month
☐ Notice of Appeal
☐ Filing a Brief in Support of an appeal
☐ Request for ex parte Reexamination
☐ Petitions to the Commissioner
☐ Submission of Information Disclosure Statement
☐ Recording each patent assignment per property
☐ Request for Continued Examination
☒ Other: Terminal Disclaimer

TOTAL AMOUNT OF PAYMENT \$ 110.00

Bradley S. Schammel 9/29/04
Bradley S. Schammel, Reg. No. 54,667 Date

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